



SEATTLE CITY COUNCIL | DISTRICT 1

**COUNCILMEMBER LISA HERBOLD**

April 1, 2019

Commissioners  
Northwest Seaport Alliance  
PO Box 2985  
Tacoma, WA  
98401-2985

Dear Commissioners:

Thank you for the opportunity to comment on the proposed commercial leases for Terminal 5. Terminal 5 is located within Seattle Council District 1, the district that I represent. Operations at the terminal, while providing opportunities for living-wage jobs in Seattle, can impact residents and businesses in proximity. Among other impacts, neighbors have experienced negative environmental and noise impacts in years past. It is about those potential impacts that I write to you today.

**Addressing Action Agenda A.3. The Terminal 5 Interim Lease (Matson) with SSA Terminals, LLC.**

I understand that new operations are authorized, in part, under approvals issued by the City in 1994. Approvals include those granted pursuant to Master Use Permit (MUP) applications 9404118 and 9404124. That MUP is attached. I direct your attention to noise-related conditions of the MUP decision on pages 88, 89, and 90, several of which are set out below for ease of reference:

36. Demonstrate to DCLU<sup>1</sup> that equipment (gantries, hustlers, top picks) will operate at a noise level which is an average of 10 decibels less than that currently at the terminal...
46. Maintain noise mitigating devices on and regularly maintain equipment at...Terminal 5. This shall include maintaining high performance mufflers and enclosures on engines and adequate equipment lubrication as necessary to ensure that container terminal operations remain in compliance with standards in the Seattle Noise Ordinance.

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<sup>1</sup> The Department of Construction and Land Use (DCLU) is now the Seattle Department of Construction and Inspections (SDCI).

50. Resume quarterly noise measurements when... There is a 25 percent increase in TEU throughput...

My expectation is that operations under the proposed leases will be at a noise level which is 10 decibels less, on average, than prior operations, as contemplated by condition number 36. Moreover, I anticipate that the Port will comply with the “Life of the Project” conditions including maintaining noise mitigation devices and structures, implementing a noise control program, and conducting quarterly noise measurements.

#### **Addressing Action Agenda A.1. Terminal 5 Term Lease with SSA Terminals (Seattle Terminals), LLC.**

I would like to reiterate my concerns not yet addressed that I outlined in the Draft Environmental Statement comment letter that I sent on July 7, 2016.

- Low frequency noise measurements and monitoring, specifically generated by ships running their engines while docked.
  - I am pleased that the EIS recognized the noise impacts that would result from the use of shore power for moored vessels. Nevertheless, I am disappointed that the permit does not require monitoring low frequency noise and I request that you include this as a condition of the lease.
- Battery-electric or electric hybrid construction equipment and vehicles.
  - I am disappointed that the permit does not require the use of battery-electric or hybrid equipment and vehicles. Please, consider utilizing equipment and vehicles that go farther to mitigate air and noise quality impacts during construction.
- Especially, shore power installation for ships at the Terminal.
  - In 2007 the California Air Resource Board adopted a regulation to reduce emissions from diesel engines for vessels docked at the Port of Los Angeles. This regulation *required ships to shut down their diesel engines and utilize grid power*, to administer this LA has a goal of 70% shore power usage by 2017. Though we have no such State regulation, there’s no reason why the Northwest Seaport Alliance cannot use the lease agreement as a tool to accomplish the same result.

The staff memo (page 13) under the description of the lease, includes the following language: “including deployment of shorepower capability...” Without being able to review the lease it is unclear what the lease actually says about this necessary mitigation.

The Northwest Seaport Alliance should be ambitious with their targets. I request an inclusion in the lease that a ship utilize shore power if a ship is capable, additionally, consideration of how to assist the tenant in fulfilling this obligation should be considered by the Northwest Seaport Alliance, including cost-sharing of the labor costs associated with Longshoreman employment necessary to plug ships in.

I share the Port of Seattle and Northwest Seaport Alliance vision of a fully modernized Terminal 5. As we work towards that future, I look forward to working with you and my colleagues on the

Seattle City Council to ensure that operations at the terminal have the least environmental impact possible on near-neighbors while optimizing the economic and environmental benefit for Seattle.

Sincerely,



Lisa Herbold  
District 1 Councilmember, West Seattle/South Park

CC. Nathan Torgelson, SDCI Director  
Delridge District Council  
Southwest District Council

Attachment: MUP 9404118 and 9404124

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